

When lives are torn apart by violent crime,
who's there to help put the pieces back together?

Government
Publications

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THE CRIMINAL INJURIES COMPENSATION BOARD

"We Care
for Victims
of Crime"



Ministry of
the Attorney
General

(416) 326-2900

Mary was 28 years old.

One August evening, a man entered the convenience store where she worked. Without reason, he shot her in the back with a shotgun at point blank range.

Mary was an innocent victim injured by a crime of violence.

She was taken to hospital where she was revived and a hole in her windpipe was repaired. 25-30 pellets still remain in her chest wall.

The Criminal Injuries Compensation Board helped ease Mary's burden by assisting her financially, simply and compassionately. She was awarded compensation for pain and suffering.

If your story is like Mary's, you too may apply for help.

Who can apply for help?

- an innocent victim
 - someone like a parent looking after a victim
 - a dependent, spouse or relative if a victim dies
- In certain situations, someone who pays the expenses of a victim.

What may be compensated?

- an injury or death caused by a crime of violence such as an assault, wounding, murder, sexual assault, and child abuse
- trying to stop or legally arrest someone who was committing or about to commit a crime against another person or their property.

How do you apply?

- tell the police what happened
- write or telephone
The Criminal Injuries Compensation Board
439 University Avenue
17th Floor
Toronto, Ontario M5G 1Y8
Telephone: (416) 326-2900
Fax: (416) 326-2883
- ask for an application form.

When must you apply?

- as soon as possible

Applications must be received by the Board within one year of the crime. Extensions may be granted. Money may be awarded even though charges are not laid or no one is found guilty.

Claims are based on a "balance of probabilities"; for example, if a person claimed compensation for a broken arm, he would have to show that the injury happened in circumstances that qualify for compensation.

What papers or documents must you provide?

- medical reports describing your injuries or treatment
- bills and receipts showing your expenses
- employer's statement showing your wages and benefits
- your income tax return.

What happens after you apply?

- your application is checked
- your papers or documents are checked
- an investigation of your claim may be made
- your claim is put to the Board for a decision

Payment of an award takes from 8 to 10 weeks after a hearing, if the claim has qualified for compensation. The whole process takes on average from a year to a year and a half.

How does the Board decide on your claim?

The Board decides on your claim in one of two ways:

- a) documentation or
- b) oral hearing

Documentation - applications which are simple and straight forward may be decided with your permission on documentary evidence alone. This reduces travel time, expenses, and the need to take time off from work.

Oral hearing - in a relaxed setting, you can present information explaining your claim to two members of the Board.

Oral hearings are often held in public but cases such as domestic assault, child abuse and sexual assault are held in private. It may be necessary to travel to one of the places where the hearings are held - Thunder Bay, Sudbury, Sault Ste. Marie, Dryden, Windsor, London, Ottawa and Toronto. You are given 4 to 6 weeks notice before a hearing date.

When the Board decides on your claim, it considers how you co-operated with the police and whether you contributed to your injury (or death) directly or indirectly.

Will you need a lawyer?

- no, but one may help if your claim is very complex

The Board pays a modest legal fee to your lawyer if you are a successful applicant and for reasonable and necessary costs in making a claim.

What expenses can you apply for?

- medical bills
- prescriptions
- funeral expenses
- lost pay due to inability to work after an injury
- loss of support experienced by dependents due to a victim's death
- pain and suffering for injuries
- support of a child born as a result of a rape
- expenses to attend the hearing
- expenses to obtain documents
- cost of an interpreter
- any other reasonable cost

Payments to an applicant from an insurance plan, O.H.I.P., Worker's Compensation, Unemployment Insurance, the victim's estate, etc. will not be duplicated in an award by the Board. Payments to victims receiving general welfare or family benefits however are exempt.

How much can be awarded?

- up to a maximum of \$25,000 for one-time payments
- up to \$1,000 in monthly payments for periodic awards

The lump sum cannot exceed \$12,500 where both lump sums and periodic payments are awarded. The Board can increase or decrease your award if other injuries are found or if long-term effects of injuries are made known and you need to pay for therapy.

Will a civil law suit affect your award?

If you file a civil law suit, you must tell the Board. The Board is entitled to money awarded in a civil suit to cover the compensation awarded.

Where else can you get help?

The Victim/Witness Assistance Program. See the white pages of your telephone directory, or the blue pages under "Attorney General".

requirante 28 ans
dépassant

employée

un acte du motif d'act
malheureux

faul, il bouillonnant sans

provocation

transparence

ambulation

Occultisme expérimental

activité d'une
décharge de pleine

cote d'oil de
la charge chirurgique

exclusion

perforation du pommion

25 à 30 plombes enroulé d'une

laine

vision du freinage

poussée mesurée

nommé d'écalle

trouvé 1976
attribuabilité selon la Commission

indemnisation accordée

haut-fractions
corpuscles et mercuriel

3 761 1146

« Nous nous soucions des victimes d'actes criminels. »



3 1761 11469 726 1

- le Programme d'aide aux victimes et témoins
- consultez les pages blanches de votre annuaire téléphonique ou les pages bleues sous la rubrique «procureur général».